

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: *Vernon Alvarez et al.*

Application No. 10/516,079

International Filing Date: June 2, 2003

Date of Entry into U.S. National Stage: November 29, 2004

Examiner: Not Assigned

Art Unit: 1645

For: Combination Chemotherapy With Chlorotoxin

**Mail Stop PCT**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS**

1. This paper is filed in response to the Notification of Missing Requirements Under 37 U.S.C. 371 in the United States Designated/Elected Office dated September 7, 2005. A copy of the Notification of Missing Requirements is enclosed.
2. Additional Papers Filed:
  - (i) Executed Inventor Declaration (2 pages)
  - (ii) Information Disclosure Statement
  - (iii) Form PTO-1449 (2 pages)
  - (iv) Copies of 33 documents
3. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
4. Fee Payment: The Commission is hereby authorized to charge \$65.00 to Deposit Account 50-0310 for payment of the missing requirements surcharge fee at the small entity rate.
5. Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due

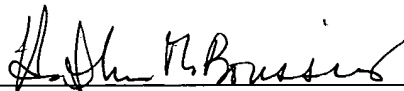
11/07/2005 GFREY1 00000052 500310 10516079

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under 37 C.F.R. 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Dated: November 2, 2005  
Morgan, Lewis & Bockius LLP  
Customer No. 09629  
1111 Pennsylvania, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
Morgan, Lewis & Bockius LLP

  
\_\_\_\_\_  
Heather M. Boussios  
Registration No. 52,704



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,079	Vernon L. Alvarez	051530-5006-US

INTERNATIONAL APPLICATION NO.
PCT/US03/17410

LA. FILING DATE	PRIORITY DATE
06/02/2003	05/31/2002

9629  
 MORGAN LEWIS & BOCKIUS LLP  
 1111 PENNSYLVANIA AVENUE NW  
 WASHINGTON, DC 20004

CONFIRMATION NO. 2000  
 371 FORMALITIES LETTER  
 \*OC000000016949057\*  
 \*OC000000016949057\*

Date Mailed: 09/07/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/29/2004
- Copy of the International Search Report filed on 11/29/2004
- Preliminary Amendments filed on 11/29/2004
- Biochemical Sequence Diskette filed on 11/29/2004
- Biochemical Sequence Listing filed on 11/29/2004
- Small Entity Statement filed on 11/29/2004
- Copy of references cited in ISR filed on 11/29/2004
- U.S. Basic National Fees filed on 11/29/2004
- Priority Documents filed on 11/29/2004

Docketed 9/9/05 Attorney mst/RSS/Hmb  
 Case 51530-5006  
 Due Date November 7, 2005  
 Action Missing Requirements  
 By GD Chk BR

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

RECEIVED

SEP 09 2005

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,079	PCT/US03/17410	051530-5006-US

FORM PCT/DO/EO/905 (371 Formalities Notice)